

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case # 11-CR-20468

HONORABLE ARTHUR J. TARNOW

VINOD PATEL D-36,

Defendant.

_____/

JOHN K. NEAL
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PAMELLA R. SZYDLAK
Attorney for Defendant Vinod Patel
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_____/

MOTION TO APPEAL IN FORMA PAUPERIS

NOW COMES Pamella R. Szydlak, attorney for Vinod Patel, Defendant in the above-entitled cause, and in support of her Motion to Appeal in Forma Pauperis states as follows:

1. Defense counsel was retained by Vinod Patel to represent him at the sentencing proceedings only in this matter.

2. Defense counsel did **not** represent Vinod Patel throughout the pre-trial proceedings and the jury trial.

3. The written retainer/engagement agreement between Vinod Patel and counsel is very specific, the legal representation shall be only for “the sentencing proceedings. It shall not include any post trial motions or appeals.” The limited purpose of the legal representation was also discussed at length with Mr. Patel’s wife, Kiran Patel and Vinod Patel, himself, at the initial meetings.

4. Vinod Patel has filed a Notice of Appeal to the Sixth Circuit.

5. Vinod Patel has insufficient funds to retain counsel for his appeal. Mr. Patel’s wife has contacted a clerk at the Sixth Circuit Court of Appeals indicating they are without funds to hire a lawyer. A Motion to Withdraw has been filed with the Sixth Circuit Court of Appeals by defense counsel.

6. Counsel was informed by a clerk of the Sixth Circuit Court of appeals that this motion must be filed with this Honorable Court so that Mr. Patel will be declared indigent and then an appellate lawyer can be appointed to represent Mr. Patel.

7. Therefore, since Vinod Patel needs different counsel to prepare his appeal, and cannot afford to retain a lawyer, Mr. Patel should be declared indigent and a lawyer should be appointed to present Mr. Patel’s case to the Sixth Circuit.

WHEREFORE, defense counsel requests that this Court grant this Motion to Appeal In Forma Pauperis so that a new lawyer can be appointed to pursue Vinod Patel's appeal.

Respectfully Submitted,

S/Pamella R. Szydlak

PAMELLA R. SZYDLAK (P 49783)

Attorney for Defendant

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Pammellar@aol.com

DATED: June 16, 2015

BRIEF IN SUPPORT OF
MOTION TO APPEAL IN FORMA PAUPERIS

The relief requested lies within the sound discretion of this Honorable Court.

Respectfully Submitted,

S/Pamella R. Szydlak

PAMELLA R. SZYDLAK (P 49783)

Attorney for Defendant

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Pammellar@aol.com

DATED: June 16, 2015

CERTIFICATE OF SERVICE

I hereby certify that on June 16, 2015, I electronically filed the foregoing paper with the clerk of the court using the ECF system which will send notification of such filing to the following: john.neal@usdoj.gov and all other attorneys of record.

S/Pamella R. Szydlak

PAMELLA R. SZYDLAK (P 49783)

Attorney for Defendant Vinod Patel